

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

April 15, 2021

1:35 p.m.

MEMBERS PRESENT

Senator David Wilson, Chair
Senator Shelley Hughes, Vice Chair
Senator Mia Costello
Senator Lora Reinbold
Senator Tom Begich

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 38

"An Act relating to the practice of naturopathy; establishing the Naturopathy Advisory Board; relating to the licensure of naturopaths; relating to disciplinary sanctions for naturopaths; relating to the Department of Commerce, Community, and Economic Development; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 67

"An Act relating to the licensure of nursing professionals; relating to a multistate nurse licensure compact; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 78

"An Act relating to telehealth."

- SCHEDULED BUT NOT HEARD

SENATE BILL NO. 80

"An Act relating to telehealth."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 38

SHORT TITLE: NATUROPATHS: LICENSING; PRACTICE

SPONSOR(s): SENATOR(s) KAWASAKI

01/25/21	(S)	PREFILE RELEASED 1/8/21
01/25/21	(S)	READ THE FIRST TIME - REFERRALS
01/25/21	(S)	HSS, L&C, FIN
04/07/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
04/07/21	(S)	Scheduled but Not Heard
04/08/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/08/21	(S)	Heard & Held
04/08/21	(S)	MINUTE(HSS)
04/15/21	(S)	HSS AT 1:30 PM BUTROVICH 205

BILL: SB 67

SHORT TITLE: NURSING: LICENSURE; MULTISTATE COMPACT

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/03/21	(S)	READ THE FIRST TIME - REFERRALS
02/03/21	(S)	HSS, L&C
02/23/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/23/21	(S)	Heard & Held
02/23/21	(S)	MINUTE(HSS)
02/25/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/25/21	(S)	-- Public Testimony --
04/15/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/12/21	(S)	EDC, HSS, FIN
03/10/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/10/21	(S)	Heard & Held
03/10/21	(S)	MINUTE(EDC)
03/19/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/19/21	(S)	-- Invited & Public Testimony --
03/22/21	(S)	EDC AT 9:00 AM BUTROVICH 205
03/22/21	(S)	Moved CSSB 80(EDC) Out of Committee
03/22/21	(S)	MINUTE(EDC)
03/24/21	(S)	EDC RPT CS 1DP 2NR SAME TITLE
03/24/21	(S)	NR: HOLLAND, HUGHES
03/24/21	(S)	DP: BEGICH
04/06/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/06/21	(S)	Heard & Held
04/06/21	(S)	MINUTE(HSS)
04/15/21	(S)	HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

JOE HAYES, Staff
Senator Scott Kawasaki
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions and provided information on SB 38 on behalf of the sponsor.

RILEY NYE, Intern
Senator Shelley Hughes
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions on SB 38.

SARA CHAMBERS, Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Answered questions on SB 38.

SARA CHAMBERS, Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Testified and answered questions on SB 67.

SEAN ARMSTRONG, Deputy Chief of Nursing
Public Health Nursing
Division of Public Health
Department of Health and Social Services (DHSS)
Anchorage, Alaska

POSITION STATEMENT: Answered questions on SB 67.

JANETTE SCHLAEDER, Chair
Alaska Board of Nursing
Anchorage, Alaska

POSITION STATEMENT: Answered questions on SB 67.

REBECCA FOTSCH, Director
State Advocacy and Legislative Affairs
National Council of State Boards of Nursing
Chicago, Illinois

POSITION STATEMENT: Answered questions on SB 67.

ACTION NARRATIVE

[1:35:19 PM](#)

CHAIR DAVID WILSON called the Senate Health and Social Services Standing Committee meeting to order at 1:35 p.m. Present at the call to order were Senators Costello, Begich, Hughes, Reinbold, and Chair Wilson.

SB 38-NATUROPATHS: LICENSING; PRACTICE

[1:36:07 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 38 "An Act relating to the practice of naturopathy; establishing the Naturopathy Advisory Board; relating to the licensure of naturopaths; relating to disciplinary sanctions for naturopaths; relating to the Department of Commerce, Community, and Economic Development; and providing for an effective date."

[1:36:46 PM](#)

JOE HAYES, Staff, Senator Scott Kawasaki, Juneau, Alaska, stated he had no additional comments.

[1:37:01 PM](#)

SENATOR HUGHES moved Amendment 1.

AMENDMENT 1

32-LS0318\A.2
Fisher
4/12/21

OFFERED IN THE SENATE
TO: SB 38

BY SENATOR HUGHES

Page 4, following line 3:

Insert

"(2) has completed a three-year naturopathic residency program;"

Renumber the following paragraphs accordingly.

Page 4, line 21:

Delete **"AS 08.45.030(1)(A) and (2) - (4)"**

Insert **"AS 08.45.030(1)(A) and (2) - (5)"**

CHAIR WILSON objected for purposes of discussion and restated the Amendment being offered is Amendment 1 [A.2].

[1:37:39 PM](#)

SENATOR HUGHES stated naturopaths are a great asset to the field of healthcare. The scope of a naturopath's practice is expanded by SB 38. The bill includes prescriptive rights. Amendment 1 adds a three-year residency licensing prerequisite. This prerequisite mirrors the clinical hours and oversight that physicians experience and that is embedded in the training of physician assistants and nurse practitioners. She stated she is in favor of naturopathic doctors having prescriptive authority if they have extra supervision.

SENATOR REINBOLD stated that committee members were informed that naturopaths would not be available to testify. This amendment undermines the naturopaths' prior testimony. Physician assistants, nurse practitioners, physical therapists, and chiropractors do not complete residencies. She suggested naturopaths could work three years in an externship. A three-year residency is unconscionable, as naturopaths have thirty-five years of established safe practice.

[1:40:13 PM](#)

SENATOR BEGICH asked why there are not enough residencies available.

MR. HAYES replied that there are more students than naturopaths and hospitals pay for the residency of medical doctors. They do not pay for naturopathic doctors.

[1:40:41 PM](#)

SENATOR BEGICH asked for the sponsor's view of this amendment.

MR. HAYES replied that Senator Kawasaki has concerns about fiscal ramifications and who will fund the residencies. There are fifty-two naturopaths practicing in Alaska. Senator Kawasaki has concerns about how the amendment will affect them. Alaska would be the first state to require residency.

[1:41:49 PM](#)

SENATOR HUGHES explained that Amendment 1 does not prescribe how residency would be crafted. She is open to the idea of grandfathering. There are a variety of ways to accomplish supervision. Students coming out of school could be paired with existing naturopaths or primary care providers. MDs and DOs sometimes have residencies lasting eight to ten years. A three-year residency is a minimum requirement. Chiropractors and physical therapists do not prescribe medications. Physician assistants have clinical hour requirements and after being licensed are supervised by a physician. She concluded that a

wider scope of practice should require an equivalent amount of training.

SENATOR REINBOLD offered Conceptual Amendment 1 to Amendment 1. On page 1 line 3 of the amendment, replace the language in paragraph (2) and insert "has completed two-years of naturopathic externship program." At the Chair's request she restated the conceptual amendment.

SENATOR HUGHES asked the difference between an internship and externship.

1:44:49 PM

SENATOR REINBOLD replied an externship is working in a clinical setting under supervision and earning money.

SENATOR HUGHES stated residents are interns that earn money. She is open to the two-year adjustment but has reservations about the appropriate terminology to use regarding residency.

SENATOR REINBOLD answered that an externship offers supervised hands-on clinical training in doctor's offices versus hospitals.

SENATOR HUGHES stated she is agreeable to the conceptual amendment.

SENATOR BEGICH read the definition of externships as, "Experiential learning opportunities, similar to internships, provided by partnerships between educational institutions and employers to give students practical experiences in the field of study."

1:46:25 PM

CHAIR WILSON asked if there was objection to Conceptual Amendment 1 to Amendment 1.

SENATOR COSTELLO asked if Amendment 1 is intended to make SB 38 more stringent because it offers prescriptive authority to naturopaths. She noted that in SB 38 the pharmacological portion of the exam is elective. This amendment would include those who are not interested in having prescriptive authority. She asked if the residency requirement is intended for them.

SENATOR HUGHES replied that the residency requirement pertains to the prescriptive authority and outpatient procedures that naturopaths will be allowed to perform. She suggested that the

amendment could be changed to exclude office procedures depending on how it will be defined.

[1:48:20 PM](#)

At ease

[1:51:02 PM](#)

CHAIR WILSON reconvened the meeting.

He found no further objection and Conceptual Amendment 1 to Amendment 1 passed.

[1:51:33 PM](#)

CHAIR WILSON withdrew his objection. Finding no further objection, Amendment 1, as amended, passed.

[1:51:57 PM](#)

SENATOR HUGHES moved Amendment 2 [A.5].

AMENDMENT 2

32-LS0318\A.5

Fisher

4/12/21

OFFERED IN THE SENATE
TO: SB 38

BY SENATOR HUGHES

Page 4, following line 3:

Insert

"(2) has passed a pharmaceutical examination approved by the department that is equivalent to any examination of pharmaceutical knowledge required under AS 08.64.210 or 08.64.220;"

Renumber the following paragraphs accordingly.

Page 4, line 21:

Delete "AS 08.45.030(1)(A) and (2) - (4)"

Insert "AS 08.45.030(1)(A) and (2) - (5)"

CHAIR WILSON objected for purposes of discussion.

[1:52:14 PM](#)

SENATOR HUGHES stated this amendment requires naturopaths to pass a pharmaceutical exam equivalent to what medical and

osteopathic doctors pass to acquire a license. If naturopaths are to be called physicians their training, examinations and continuing education should be on par with other doctors who are called physicians. The Alaska Association of Naturopathic Physicians uses the word physicians on their website. It is important to commensurate the requirements of a naturopath with the average Alaskan's expectation of a physician.

SENATOR REINBOLD stated there is a need to address naturopaths using the word physician.

1:54:22 PM

At ease

1:59:15 PM

CHAIR WILSON reconvened the meeting and resumed discussion on Amendment 2.

1:59:21 PM

SENATOR HUGHES stated that her legislative intern could address statute references.

RILEY NYE, Intern, Senator Shelley Hughes, Alaska State Legislature, Juneau, Alaska, explained that Amendment 2 deletes AS 08.45.030(1) (A) and (2) - (4) and inserts the same statute but with a change that includes (2) - (5).

SENATOR COSTELLO stated that the statutes listed in Amendment 2 clarify that "the board" is the medical board.

SENATOR BEGICH asked whether the medical board or the department would set policy regarding pharmaceutical examinations. He offered his belief that Senator Hughes intended the department to set policy and asked for confirmation from Ms. Chambers.

2:01:42 PM

SARA CHAMBERS, Director, Division of Corporations, Business, and Professional Licensing, Juneau, Alaska, stated that the department is to review examination requirements under AS 08.64 and then approve an equivalent exam. The medical board would not be involved unless advice was needed. There are standard examinations that the medical board approves. The department would be looking for an equivalent exam that is accessible to naturopaths.

SENATOR REINBOLD offered a conceptual amendment to Amendment 2. On page 4, line 3 add, "If a naturopath seeks increased prescriptive authority and...".

2:03:26 PM

CHAIR WILSON announced SB 38 will be held for further consideration.

SENATOR COSTELLO stated that the next committee of referral for SB 38 is Senate Labor and Commerce. She was committed to working with Senator Kawasaki's office on a committee substitute. If it is held in the Health and Social Services committee, parties should work together to rectify issues that the amendments address. There is a lot of interest in crafting a successful bill.

SENATOR HUGHES stated this bill has been fourteen years in the making. She offered her belief that it is important to get the bill right. She supports Chair Wilson holding it so parties can work together.

2:05:10 PM

CHAIR WILSON clarified that the bill is being held so the sponsor and members of the committee can work through language in the amendments and produce a better bill.

SENATOR REINBOLD stated the remaining amendments would not consume as much time and the members should keep working to move the bill out of committee.

CHAIR WILSON stated it would be better to get a CS from the sponsor than to keep amending amendments.

SENATOR HUGHES stated she is willing to work with the sponsor on her amendments.

2:06:38 PM

SENATOR REINBOLD expressed her dislike for committee substitutes. She prefers to work through an open process in committee rather than two people working behind closed doors. Working through the amendments in committee is difficult but it is what the committee is for.

CHAIR WILSON replied he understands.

SENATOR BEGICH commented that amendments are in committee member's hands. Members should offer suggestions before Tuesday so the bill can be moved out of committee.

[2:07:45 PM](#)

[CHAIR WILSON held SB 27 in committee.]

SB 67-NURSING: LICENSURE; MULTISTATE COMPACT

[2:07:55 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 67 "An Act relating to the licensure of nursing professionals; relating to a multistate nurse licensure compact; and providing for an effective date."

SARA CHAMBERS, Director, Division of Corporations, Business, and Professional Licensing, Juneau, Alaska stated she has some questions, thoughts and concerns regarding amendments to SB 67.

[2:09:42 PM](#)

SENATOR BEGICH moved Amendment 1.

AMENDMENT 1

32-GS1603\A.3
Fisher
3/19/21

OFFERED IN THE SENATE
TO: SB 67

BY SENATOR BEGICH

Page 7, line 27, following "permit":

Insert "i;

(4) multistate licensure privileges to practice registered nursing in this state under a multistate license issued by another state under AS 08.69, in an amount equal to the fee imposed under (1) (A) of this section;

(5) multistate licensure privileges to practice practical or vocational nursing in this state under a multistate license issued by another state under AS 08.69, in an amount equal to the fee imposed under (2) (A) of this section"

CHAIR WILSON objected for purposes of discussion.

2:09:50 PM

SENATOR BEGICH stated Amendment 1 [A.3] is about equity. When an Alaskan applies for an Alaska state nursing license, they are required to pay a licensing fee. This amendment ensures every nurse seeking to practice in the state pays the fee. Paying the fee would have the added effect of providing a default registry of all nurses practicing under a multi-state license in Alaska. He offered the following example.

An advanced registered practice nurse (ARPN) regulation, effective since May, requires a registration fee to use the Prescription Drug Monitoring Program (PDMP). He stated his belief that the regulation applies to traveling and telehealth ARPNs. An APRN, who is also required to hold a registered nursing license, would need to register and pay the PDMP fee in order to prescribe controlled substances and participate in the program. If the bill passes, this regulation should not be waived for APRNs who hold and operate under a multistate license. All APRNs working in Alaska would be required to register and pay the fee for the PDMP access. Without Amendment 1, some APRNs under the compact would be required to pay a fee and others would not.

2:11:39 PM

SENATOR REINBOLD asked if Amendment 1 increases fees for nurses already practicing in the state or if they already pay the fees mentioned.

SENATOR BEGICH replied that Amendment 1 should not increase fees for nurses already practicing in the state. It requires fees to be equitable.

CHAIR WILSON asked Director Chambers to confirm Senator Begich's answer.

2:12:27 PM

MS. CHAMBERS responded that Senator Begich was just offering an example. Amendment 1 does not have anything to do with the PDMP nor does the compact have anything to do with APRNs. The compact is only for registered nurses and licensed practical nurses. It is not applicable to APRNs and does not involve the PDMP.

SENATOR REINBOLD asked if only nurses coming from outside to practice in Alaska must pay the fee.

MS. CHAMBERS replied that Amendment 1 would be for multistate licensed nurses who are coming to work in Alaska and do not claim Alaska as their home state. The amendment requires out of state nurses to pay the equivalent of the nursing application fee. It does not require them to pay a license fee. It only requires them to pay the initial application fee that other nurses pay. If Alaska is a nurse's home state, then the multistate license is issued in Alaska, which is the same paperwork and fee process.

SENATOR REINBOLD asked the fee amount.

2:14:29 PM

MS. CHAMBERS replied that a licensing application fee is typically not more than two hundred dollars. She does not know the exact fee for nurses.

CHAIR WILSON asked Ms. Chambers if she has concerns with Amendment 1..

MS. CHAMBERS stated the department's concern is that Amendment 1 will keep the state from entering the compact because it places a noncompact requirement on compact nurses, which is not allowed. The multistate compact license and the Alaska license are two separate licensing schemes. An Alaska license is what the department has now. The multistate license is a completely different mechanism to prove that a nurse has the same qualifications as the Alaska license, if not more. It is not an apples-to-apples comparison. Alaska nurses who want to work out of state on a compact license are not going to pay an additional fee to another state's system. That would be counter to the compact. The equity is that Alaska nurses do not pay to work in another state and other states' nurses do not pay to work in Alaska. That is an equitable system.

2:16:26 PM

SENATOR HUGHES asked if the application fee could be paid by the employer to help cover the costs of supervision by the board.

2:17:01 PM

MS. CHAMBERS responded that it is an innovative question that relates to the registry amendment. It would not be an imposition on the nurse but would create another level of bureaucracy for employers. It would not keep the state out of the compact.

SENATOR HUGHES asked Senator Begich if he would be open to the idea of the employer paying the application fee.

SENATOR BEGICH commented that the idea may fall under the next amendment. He stated it is a good idea, but he does not want to hold the bill up unnecessarily. He is open to exploring it.

SENATOR REINBOLD noted the amendment does not say who pays the fee and questioned why the idea could not be part of the amendment.

MS. CHAMBERS responded that the amendment is in context of the fees set for nurses to pay.

SENATOR REINBOLD stated support for in Alaska jobs first. She said she sees a tremendous amount of opposition to the bill, and she is going to support the amendment.

2:18:52 PM

SENATOR BEGICH clarified that having an employer pay the application fee should apply to all nurses. Employers of all nurses would pay the application fee so that equity is retained. He stated he will continue to support his amendment, but Senator Hughes has proposed an idea that should be looked at as the bill moves forward.

SENATOR HUGHES asked if this amendment kills the bill.

MS. CHAMBERS replied that is correct.

SENATOR BEGICH asked if her answer is absolute and if she has a note from the compact.

2:20:08 PM

MS. CHAMBERS responded yes. She stated that she has been in communication with Ms. Fotsch from the National State Council of Boards of Nursing about the amendments. There is more than one amendment that would end the bill. Amendment 1 would keep Alaska out of the compact because it imposes noncompact restrictions on compact nurses.

SENATOR BEGICH interjected "unless, the compact adopted the restriction."

MS. CHAMBERS agreed that if all thirty-five states adopted the amendment in their state legislature, then the amendment could become part of the compact. Alaska would not be able to join the compact until the amendment was ratified.

SENATOR COSTELLO related her concern that multistate licensure takes away the autonomy of Alaskans to manage nurses by having to obtain approval from a national organization to make statutory changes.

[2:21:27 PM](#)

CHAIR WILSON asked for a roll call vote on Amendment 1 [A.3].

[2:21:30 PM](#)

A roll call vote was taken. Senators Begich and Reinbold voted in favor of Amendment 1 and Senators Hughes, Costello, and Wilson voted against it. Therefore, Amendment 1 failed by a 2:3 vote.

[2:22:27 PM](#)

CHAIR WILSON moved Amendment 2 [A.5].

AMENDMENT 2

32-GS1603\A.5
Fisher
4/12/21

OFFERED IN THE SENATE
TO: SB 67

BY SENATOR WILSON

Page 1, line 1, following "**professionals;**":

Insert "**relating to employment of nurses holding multistate licenses;**"

Page 10, following line 26:

Insert a new bill section to read

"* **Sec. 20.** AS 08.68 is amended by adding a new section to article 6 to read:

Sec. 08.68.710. Registry of nurses practicing under a multistate license. (a) A person who employs a nurse practicing in this state under a multistate license issued under AS 08.69 shall, before the nurse practices in the state, submit to the board the name and date of hire of the nurse and notify the board when the nurse's employment terminates.

(b) A nurse who holds a multistate license issued under AS 08.69 may submit the nurse's address and other workforce-related data to the board.

(c) The board shall develop a reporting system to collect information submitted under this section and shall maintain a registry of the information,

including the number of nurses practicing in the state under a license issued under AS 08.69 and the state in which each nurse is a resident.

(d) The failure of a nurse or a person who employs a nurse to provide information under this section may not be the basis for disciplinary action against the nurse or the nurse's license and does not prohibit the nurse from practicing in the state."

Renumber the following bill sections accordingly.

Page 38, line 22:

Delete "Section 37"

Insert "Section 38"

Page 38, line 23:

Delete "sec. 38"

Insert "sec. 39"

SENATOR HUGHES objected for purposes of discussion.

[2:22:39 PM](#)

CHAIR WILSON stated Amendment 2 concerns a multistate license registry. The amendment would require employers to register multistate licensed nurses with the board of nursing to maintain a record of nurses practicing in the state. This ensures the state maintains some control over the practice of nursing. The amendment requires employers to notify the board when multistate nurses are hired and terminated. This will ensure the registry is updated in a timely manner.

SENATOR HUGHES stated she likes the amendment. She asked to hear from Ms. Chambers on the impact this amendment would have on the bill and what the board's oversight of multistate nurses would be.

MS. CHAMBERS stated Amendment 2 would not kill the bill because it does not place the onus on the nurse. It adds additional requirements on the employer. The department's unbiased concern rests in the enforceability of the registry. Implementation of the registry could be employers entering information into a database. The department would spend no time or resources on the database because it does not regulate employers. Conversely, if the expectation is that the department have a system to check, follow-up and reconcile failures to report, that is a different type of registry. She stated the department is interested in

hearing more about the expectations of the registry. As written in the amendment, the registry would be a website where employers, on their honor, enter information and if they did not there would be no recourse.

MS. CHAMBERS noted that the department does not know who is practicing in Alaska now. Holding an Alaska license does not mean a nurse practices in state. There is no requirement for employers to inform the department which nurses they employ from the department's list of licensed nurses. The department would know if a nurse were multistate licensed through the compact's database, just as it knows a nurse is licensed in Alaska through the department's database. Neither the Alaska nor multistate database tells the department who is employed. Amendment 2's registry creates a higher threshold. The department does not know if a nurse is employed; it is the employer's responsibility to check that an employee has the appropriate license and credentials for a job.

2:27:04 PM

MS. CHAMBERS stated that the board will continue to govern the practice of Alaska over multistate license nurses. Multistate licenses nurses who behave inappropriately in Alaska will be disciplined by the Alaska Board of Nursing. This may affect their ability to work in other states. It is a bigger punishment than if the nurse were just licensed and punished in Alaska.

The Alaska Board of Nursing would continue to govern the practice of nursing. Multistate licensed nurses would perform only the duties that Alaska licensed nurses perform. Regulations on nursing are managed and monitored by the Alaska Board of Nursing through the legislature's authority. This is not changed by being part of the compact. Joining the compact enters Alaska into an agreement with a group of states, like the driver's license, EMS and fingerprinting compacts that the state has entered. The states agree what will be allowed. If a state wants something different to happen, all states must agree. A state can remove itself from the compact.

The driver's license compact allows people to drive in other states without being licensed in other states. It is the same thing except it is the practice of nursing with higher standards and expectations than Alaska's current standards.

2:29:09 PM

SENATOR REINBOLD stated she is not a fan of government databases. She asked why the bill is coming before the

legislature at this time, what its purpose is and if Ms. Chambers thinks it is necessary.

MS. CHAMBERS stated that the administration proposed the bill last year and this year because it is bogged down in the bureaucracy of getting nurses licensed in Alaska. The state has healthcare needs that are not being met due to delays and requirements caused by Alaska statutes and regulations. The compact is a model that has been adopted by more than half of the states. It provides efficiency with adequate oversight and retains state control. It is important because qualified nurses must currently go through a system of proving the same information multiple times.

SB 67 is a military family bill. It is the number one priority of the Department of Defense. The gold standard of licensure is to set high standards and have states rigorously agree to them. This allows people to seamlessly transition from one jurisdiction to another while maintaining a clean record. The Department of Military and Veterans Affairs, Department of Defense and various military constituencies in the state are strongly in favor of the nurse licensure compact for that reason.

[2:31:50 PM](#)

SENATOR REINBOLD opined that Ms. Chambers contradicted herself regarding local control. She offered her belief that local control is being given up, which is apparent from previous amendments. She does not agree that the bill is needed for military transition purposes. There are many military license preferences. Military personnel get preference in Alaska if they turn in their residency. She supports Amendment 2.

SENATOR HUGHES withdrew her objection to Amendment 2.

CHAIR WILSON asked if there was further objection; finding no further objection, Amendment 2 passed.

[2:32:42 PM](#)

SENATOR BEGICH moved Amendment 3 [A.6].

AMENDMENT 3

32-GS1603\A.6
Fisher
4/12/21

OFFERED IN THE SENATE
TO: SB 67

BY SENATOR BEGICH

Page 1, line 1, following "professionals;":

Insert "relating to the powers and duties of the Board of Nursing;"

Page 8, line 19, following "AS 08.69":

Insert "or the privilege to practice in the state under a multistate license issued by another state under AS 08.69"

Page 9, lines 16 - 17:

Delete "granted by the board under this chapter or"

Insert "issued by the board under this chapter or AS 08.69 or against the privilege to practice in the state under a multistate license issued by another state under"

Page 9, line 18:

Delete "or permit to practice"

Insert ", [OR] permit to practice, or privilege to practice in the state, as applicable"

Page 9, line 19, following "license":

Insert "or privilege to practice in the state, as applicable,"

Page 9, line 30, following "license":

Insert "or privilege to practice in the state, as applicable"

Page 10, line 1, following "issued":

Insert "or privilege to practice in the state under a multistate license issued by another state under AS 08.69"

Page 10, line 9:

Delete "that the board issued,"

Insert "issued by the board"

Page 10, line 10, following "revoked":

Insert ", or privilege to practice in the state under a multistate license issued by another state under AS 08.69 that has been suspended,"

Page 10, lines 12 - 26:

Delete all material and insert:

"* **Sec. 19.** AS 08.68.275(e) is amended to read:

(e) The board may return a license that has been voluntarily surrendered or reinstate the privilege to practice under a multistate license issued by another state under AS 08.69, as applicable, if the board determines that the licensee is competent to resume practice and that the applicable renewal fees are paid."

CHAIR WILSON objected for purposes of discussion.

[2:32:53 PM](#)

SENATOR BEGICH stated this amendment addresses the issue of gold standards and local standards. It is about ensuring every nurse practicing in the state is required to meet the same expectations.

He said the Alaska Board of Nursing outlined in regulation a comprehensive list of barrier crimes that prohibit a nurse from practicing in Alaska; not every state has the same expectations. Any person practicing nursing in Alaska should be required to meet the state's barrier crimes threshold. If Alaska joins the compact, it would be unable to add new barrier crimes to the list, unless every state in the compact agreed. Alaska regulates the practice of nursing for the sole purpose of protecting the public from people who prey on the vulnerable. Nursing services are provided in a variety of settings such as private houses and one on one settings. Amendment 3 provides assurances for the public that Alaska nurses have been vetted.

CHAIR WILSON stated he does not want to put anyone who cannot meet the barrier crime threshold into vulnerable populations. He asked Ms. Chambers to comment.

[2:34:16 PM](#)

MS. CHAMBERS stated she has had less than a day to review the amendments, but she did not see anything in Amendment 3 that would kill the bill.

SENATOR HUGHES opined that healthcare facilities that are likely to employ multistate licensed nurses also bill Medicaid, which has a high standard for barrier crimes. She offered her belief that the facilities would only hire employees that met the Medicaid barrier crimes threshold.

CHAIR WILSON stated that background checks are necessary for facilities to bill Medicaid. He was unsure if the state adopted a federal barrier crime list or if it created its own. He asked Mr. Armstrong to comment on the question.

SEAN ARMSTRONG, Deputy Chief of Nursing, Public Health Nursing, Department of Health and Social Services (DHSS), Anchorage, Alaska, stated he cannot respond.

CHAIR WILSON called on the Alaska Board of Nursing Chair Janette Schlaeder.

[2:36:28 PM](#)

JANETTE SCHLAEDER, Chair, Alaska Board of Nursing, Anchorage, Alaska, stated that from her experience working at a large facility, employees were fingerprinted and a background check for barrier crimes was done.

She pointed out that under the Nurse Licensure Compact (NLC) requirements a person cannot qualify for a multistate license if they have been convicted or found guilty or have entered into an agreement disposition of a felony offense under applicable state or federal criminal law. A person also cannot have any misdemeanor convictions related to the practice of nursing. A person who committed these offenses would not qualify for a multistate license and would have to seek a single state license.

[2:37:47 PM](#)

SENATOR BEGICH stated that misdemeanors and crimes vary from state to state. Each state adopts its own criminal code. Ms. Schlaeder's answer does not address Alaska's unique criminal behavior and statutes; Amendment 3 does. He concluded it does not appear to affect the compact and hopes there is no resistance to it.

[2:38:22 PM](#)

CHAIR WILSON stated he does not see the amendment as a deal breaker. If it is found to cause a problem, there are two other committees of referral to address it.

CHAIR WILSON withdrew his objection to Amendment 3; finding no further objection, Amendment 3 passed.

[2:39:00 PM](#)

SENATOR BEGICH moved Amendment 4 [A.7].

AMENDMENT 4

32-GS1603\A.7
Fisher
4/12/21

OFFERED IN THE SENATE
TO: SB 67

BY SENATOR BEGICH

Page 5, line 21, following "completed":

Insert "two hours of training in Alaska Native culture in a program approved by the board under AS 08.68.330 and has successfully completed"

Page 7, following line 3:

Insert a new bill section to read:

"* **Sec. 10.** AS 08.68 is amended by adding a new section to read:

Sec. 08.68.205. Educational requirements for licensees practicing under a multistate license issued by another state. Before practicing nursing in the state, a licensee who holds a multistate license issued by another state under AS 08.69 shall complete two hours of training in Alaska Native culture in a program approved by the board under AS 08.68.330."

Renumber the following bill sections accordingly.

Page 38, line 22:

Delete "Section 37"

Insert "Section 38"

Page 38, line 23:

Delete "sec. 38"

Insert "sec. 39"

CHAIR WILSON objected for purposes of discussion.

2:39:09 PM

SENATOR BEGICH stated Amendment 4 addresses the unique nature of nursing in Alaska and the fact that twenty percent of Alaska's population is Alaska Native. The amendment would require nurses practicing in Alaska to successfully complete a two-hour training in Alaska Native cultures. Native communities are where many nurse practitioners practice, where service is provided remotely, and often where nurses are the lead medical provider.

Multiple sources of educational training materials exist. The practice of healing and health counseling requires respect for the culture of those being served and an understanding of their cultural practices. Amendment 4 would increase the effectiveness of Alaska nurse licensees in serving the public. He asked if the compact considers the amendment an overreach.

MS. CHAMBERS replied yes; Amendment 4 requires additional requirements before practicing in the state. It has not been a requirement in Alaska, and it has not been a problem. Most of the nurses in Alaska come from out of state. If members feel the training is important for nurses to have, there are other ways to accomplish it, such as employee training. Amendment 4 will keep Alaska out of the compact.

SENATOR BEGICH asked if it would violate the agreement if the requirement were adopted after the state joined.

MS. CHAMBERS deferred the question to Ms. Fotsch.

[2:42:13 PM](#)

REBECCA FOTSCH, Director of State Advocacy and Legislative Affairs, National Council of State Boards of Nursing, Chicago, Illinois, stated she does not have a definitive answer but can get one from the NLC attorney. She offered her belief that it would not because it would not be an impediment to beginning practice.

SENATOR BEGICH expressed concern that the compact will take away state autonomy. Alaska's Native populations and geographic challenges make it unique. He questioned at what point Alaska sacrifices its uniqueness for a broader template, which may not reflect the needs of Alaskans.

[2:44:32 PM](#)

At ease

CHAIR WILSON reconvened the meeting and held SB 67 in committee with Amendment 4 [A.7] pending.

[2:47:09 PM](#)

CHAIR WILSON adjourned the Senate Health and Social Services committee meeting at 2:47 pm.